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CHARLES ELMORE CROPLEY
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IN THE

SUPREME COURT OF THE UNITED STATES.

OCTOBER TERM, 1948.

STATE OF MISSOURI ex rel. NORTH AMERICAN COMPANY, a Corporation,
Appellant,
vs.
WILLIAM K. KOERNER, Judge of the Circuit Court of the City of St. Louis,
Appellee.

No. 265.

APPELLANT'S MOTION FOR LEAVE TO FILE PETITION FOR REHEARING OUT OF TIME.

FRANK Y. GLADNEY,
Attorney for Appellant.

St. Louis Law Printing Co., 415 North Eighth Street. CEntral 4477.

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SUPREME COURT OF THE UNITED STATES.

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STATE OF MISSOURI ex rel. NORTH AMERICAN COMPANY, a Corporation, Appellant, vs. WILLIAM K. KOERNER, Judge of the Circuit Court of the City of St. Louis, Appellee.	No. 265.

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Comes now appellant and moves the Court for leave to file its petition for rehearing out of time and as reasons for said request represents and shows the Court:

1. That the Court on October 11, 1948, entered an order dismissing appellant's appeal for want of a substantial federal question.

2. That on October 27th appellant forwarded to the clerk printed copies of its petition for rehearing.

3. That in so doing appellant's counsel inadvertently and mistakenly relied on the provision of Rule 33 as printed in 306 U. S., at page 713, and inadvertently and by mistake overlooked the amendment of Rule 33 of October 13, 1947.

4. That it was the intention of counsel to comply with the rules of the Court and that appellant's petition was completed and in the mails within 15 days after the date of the Court's order.

FRANK Y. GLADNEY,
Attorney for Appellant.